

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

PHALANZA S. FRANCISCO

PLAINTIFF

v.

Civil No. 4:19-cv-4058

COOPER TIRE & RUBBER COMPANY
and UNITED STEEL WORKERS LOCAL 752

DEFENDANTS

ORDER

Before the Court is the parties' Stipulation of Dismissal Without Prejudice as to Defendant United Steel Workers Local 752. (ECF No. 28). The Court finds that no response is necessary and that the matter is ripe for consideration.

The parties stipulate to Plaintiff's dismissal without prejudice of his claims against Defendant United Steel Workers Local 752. An action may be dismissed by "a stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii). The instant stipulation is signed by all parties to this case. "Caselaw concerning stipulated dismissals under Rule 41(a)(1)(A)(ii) is clear that the entry of such a stipulation of dismissal is effective automatically and does not require judicial approval." *Gardiner v. A.H. Robins Co.*, 747 F.2d 1180, 1189 (8th Cir. 1984). Thus, Plaintiff's claims against Defendant United Steel Workers Local 752 were effectively dismissed when the parties filed the instant stipulation. However, the Court issues this order for purposes of maintaining the docket.

Plaintiff's claims against Defendant United Steel Workers Local 752 are hereby **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is **DIRECTED** to terminate Defendant United Steel Workers Local 752 as a party to this case.

IT IS SO ORDERED, this 14th day of May, 2020.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge